IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY THE SIXTH DAY OF DECEMBER
TWO THOUSAND AND SIX

PRESENT
HONOURABLE SRI JUSTICE J.CHELAMESWAR
And
HONOURABLE SRI JUSTICE D.APPARAO

WRIT PETITION No. 24818 of 2006

Between:

M/s. The Chodavaram Co.operative Sugars Limited,
Visakhapatnam District. . Petitioner

And

1. The Commercial Tax Officer,
Anakapalle,
Visakhapatnam District and others.

..Respondents

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ORDER: (Per JC, J)**:**

The issue involved in the present writ petition is squarely covered by the order of this Court in W.P.No.24284 of 2006, dated 06-12-2006. Accordingly, this writ petition is disposed of following the order passed in the said writ petition.

2. Therefore, the impugned order dated 13-10-2006 is set aside and the matter is remitted back to the 2nd respondent-The Appellate Deputy Commissioner (CT), Visakhapatnam, to examine the question whether by necessary implication of the undisputed facts there was inter-State sale of commodity and dispose of the appeal in accordance with

law. No costs.

J.CHELAMESWAR, J

D.APPARAO, J

December 6, 2006.

Note:

Office to annex the copy of the Order passed in W.P.No.24284 of 2006, dated 06-12-2006, to this writ petition.

B/o.

Kvr